



**CITY OF SUNNYVALE
REPORT
Administrative Hearing**

April 26, 2006

SUBJECT: **2006-0145 - Kathy Ung** [Applicant] **Victor C Bellomo
Trustee & Et Al** [Owner]: Application on a 25,265 square-
foot site located at **775 East El Camino Real** in a C-2/PD
(Highway Business/Planned Development) Zoning District.

Motion Special Development Permit to allow a weight loss and
exercise center.

REPORT IN BRIEF

Existing Site La Hacienda Shopping Center
Conditions

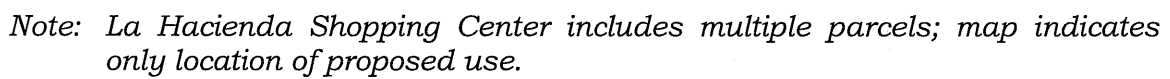
Surrounding Land Uses

North	High density apartments
South	Across El Camino Real, shopping center
East	Across Linden Ave, medium and high density apartments
West	Commercial center

Issues Use

Environmental A Class 1 Categorical Exemption relieves this project
Status from California Environmental Quality Act provisions
and City Guidelines.

Staff Approve with Conditions
Recommendation



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Commercial General Business	Same	Commercial General Business
Zoning District	C-2/PD	Same	C-2/PD
Lot Size (s.f.)	50,000	Same	No min.
Gross Floor Area of Shopping Center (s.f.)	92,999	Same	Per SDP
Gross Floor Area of Fitness Facility (s.f.)	3,075	Same	---
Maximum Number of Customers & Staff	30 (existing use)	30	---
Parking			
Total Spaces	626	Same	Per SDP
Standard & Compact Spaces	613	Same	Per SDP
Accessible Spaces	13	Same	Per SDP
Covered Spaces	0	Same	Per SDP

ANALYSIS**Description of Proposed Project**

The proposed project will use the space as a weight loss center for women, including counseling, exercise instruction, and retail sales of pre-packaged food.

The instruction and guidance is part of a three phase program which includes:

- Phase I: one-on-one counseling and support for menu planning and review, behavior modification lessons, and motivation. Women are encouraged to attend three one-hour classes per week. The maximum number of clients per class is 12 students and up to two staff members.
- Phase II: involves small class work, with up to six students and one instructor, for figure shaping and toning. The classes will range from 45 to 60 minutes, and will take place in a room with toning tables.

Site Layout: The 3,075 square foot unit is located in a small upstairs section of La Hacienda Shopping Center, which is a large retail complex covering 6 separate parcels. The existing uses at La Hacienda Shopping Center include a large grocery store (Safeway), a large pharmacy (Rite Aid), a video rental store (Blockbuster Video), and a restaurant (Marie Callendar's), in addition to 16 other smaller stores that range from restaurant to retail.

Parking: The subject site is located within La Hacienda Shopping Center, consisting of only 3.3% of the gross floor area of the full Shopping Center. As the subject site is less than 10% of the total site, the site is treated as though it were part of the uses occupying ninety percent or more of the total floor area (SMC 19.46.020(b)); thus, no additional parking analysis is required for this site and parking is determined to meet Code requirements.

Further, the primary concern with parking impacts involves concurrent high-volume uses, typically restaurant use. However, the hours of operations do not overlap with lunch time use of the site, which mitigates the potential impact on parking in the early afternoon.

Transportation Impact Fee

As the anticipated traffic impact had been included in the initial site development plan, no Transportation Impact Fee will be assessed.

Compliance with Development Standards

The project complies with all applicable development standards. The Zoning Code requires that educational and recreation uses located in retail establishments not disrupt the flow of pedestrians between retail establishments; the proposed project meets this requirement.

Expected Impact on the Surroundings

Staff was initially concerned that this project may result in minor parking impacts. Due to the volume of parking on the site and the limited hours of operation, staff does not believe there will be a negative impact on the surrounding tenants or properties.

Fiscal Impact

No fiscal impacts other than normal fees and taxes are expected.

Public Contact

Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none">• Published in the <i>Sun</i> newspaper• Posted on the site• 5 notices mailed to property owners and residents adjacent to the project site	<ul style="list-style-type: none">• Posted on the City of Sunnyvale's Website• Provided at the Reference Section of the City of Sunnyvale's Public Library	<ul style="list-style-type: none">• Posted on the City's official notice bulletin board• City of Sunnyvale's Website

Conclusion

Discussion: The proposed use is compatible with the overall use intent of the site and is not expected to result in a negative impact on parking.

Findings and General Plan Goals: Staff was able to make the required Findings based on the justifications for the Special Development Permit. Findings and General Plan Goals are located in Attachment A.

Conditions of Approval: Conditions of Approval are located in Attachment B.

Alternatives

1. Approve the Special Development Permit with attached Conditions.
 2. Approve the Special Development Permit with modified Conditions.
 3. Deny the Special Development Permit.
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Recommendation

Alternative 1.

Prepared by:


Jamie McLeod
Project Planner

Reviewed by:


Steve Lynch
Associate Planner

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Site and Architectural Plans
- D. Letter from the Applicant

Findings - Special Development Permit

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as indicated below.

Land Use and Transportation Element

Policy N1.4 Support the provision of a full spectrum of public and quasi-public services that are appropriately located in residential, commercial and industrial neighborhoods and ensure that they have beneficial effects on the surrounding area.

The proposed project would provide additional recreation opportunities for the Sunnyvale community. This use is appropriately located in a commercial shopping center that serves as a neighborhood center.

Land Use and Transportation Element

Policy C.4.1.3 Promote commercial uses that respond to the current and future retail service needs of the community.

The proposed project would provide additional recreation opportunities for the Sunnyvale community.

Socio-Economic Element

Policy 5.1C.4 Promote business opportunities and business retention in Sunnyvale.

The proposed project would provide additional business opportunities in Sunnyvale.

2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties as there is expected to be minimal impact to the existing structure or to adjoining properties.
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Conditions of Approval - Special Development Permit

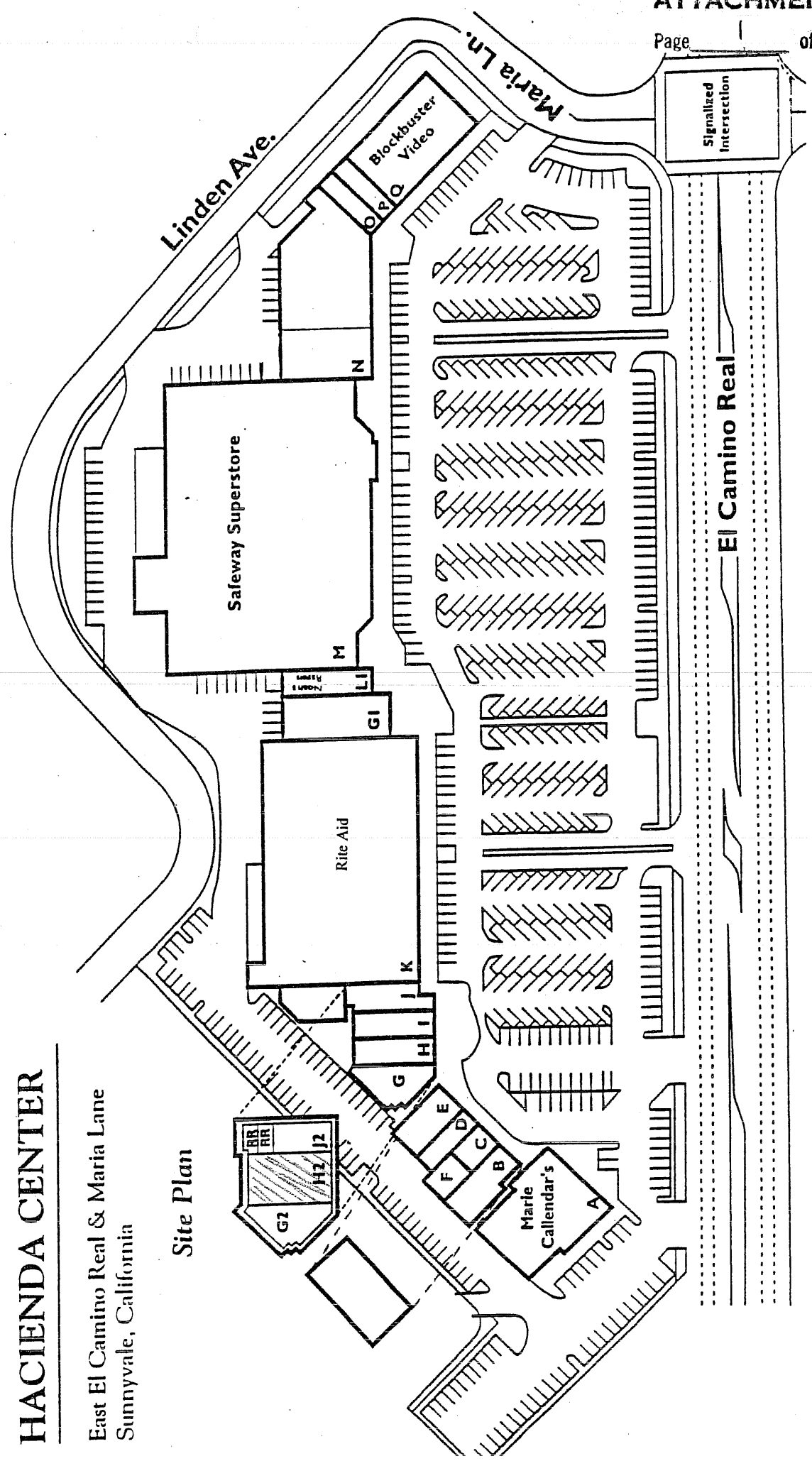
In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions, the Permittee expressly accepts and agrees to comply with the following Conditions of Approval for this Permit.

1. Execute a Special Development Permit document prior to issuance of the building permit.
2. If not exercised, this Special Development Permit shall expire two years after the date of approval by the final review authority.
3. Any major use, site or architectural modifications shall be treated as an amendment of the original approval and shall be subject to approval at a public hearing before the Planning Commission. Minor changes of the approved plans may be approved by the Director of Community Development.
4. Hours of operation shall be limited to 7:00 a.m. to 11:30 a.m. and 3:00 p.m. to 8:00 p.m. Monday through Sunday.
5. The site is limited to no more than 30 persons on site at any given time, including students, instructors, staff, and retail customers.
6. As required by Code, the proposed uses shall comply with the requirements of the Noise Ordinance.

HACIENDA CENTER

East El Camino Real & Maria Lane
Sunnyvale, California

Site Plan



Indec-A-V-ugh 775 East El Camino Real Sunnyvale, CA		Contact Info License Owner: Sarah Zigler 650 793-1134 Landlord: Collier's Inc. 408 292-3862		Project Name Indec-A-V-ugh		Project No. 1	
Construction Plan		Project Title Construction Plan		Project Number 1		Project Date 1/1/11	
Construction Construct 40 lin ft of partitions to indicated height per "C" Construction Plan" using standard building practices. Install 2 doors including ADA compliant hardware. Walls should be prepped and ready for paint. Install Cabinets and Shelving.		Electrical Assess existing electrical. Install or Relocate Electrical outlets per "Electrical Plan." Install wiring for Telephone per "Electrical Plan." Install wiring for Speakers per "Electrical Plan."		Scope of Work Area=3075 sf		Construction Type: Tenant Remodel Area=3075 sf	
CLASS AREA 6 TONING TABLES		CLASS AREA 6 EQUIP.		CLASS AREA 22'-10"		CLASS AREA 28'-3 1/2"	

Weightloss Center

Inches-A-Weigh

WEIGHT LOSS CENTERS FOR WOMEN

775 B E. El Camino Real, Sunnyvale, CA 94087

December 21, 2005

To whom it may concern:

On October 17, 2005, I took over ownership of an existing business, Inches-A-Weigh, for which Waterdog Entertainment, Inc. doing business as Inches-A-Weigh was licensed to do business in Sunnyvale. Since I have not made any changes to the operation of the business, basically the business is operated in the same manner as the previous owner, I should be granted the same type of business license as the previous owner.

Inches-A-Weigh is a weight loss center for women. We provide instruction and guidance for women with our unique 3 phase program, which is founded on the established guidelines set by the American Heart Association & Surgeon General.

- ❖ Phase 1. Nutritional Counseling (the most important phase). We provide one-on-one counseling and support with a weekly weigh-in, personalized menu planning, and behavior modification lessons & motivation. The menu plans are 90% real grocery store food that is prepared and served by the Client at the Client's home, and the remaining 10% are boxes of pre-packaged: protein bars, drink mixes, and vitamin supplements which are purchased at the center, but are consumed elsewhere. On a weekly basis, Clients turn in a weekly food diary, which the Client and our Counselors analyze together. In addition, a behavior modification lesson is given to the client each week, and our Counselors will review the lesson during the class.
- ❖ Phase 2. Figure Shaping & Toning. In this phase we instruct and guide women to tone, tighten, and firm their body, and increase their flexibility. These classes consist of a maximum of 6 women, guided by one Lifestyle Counselor. Each class will range from 45 minutes to an hour in duration. The women will spend approximately 5-6 minutes on each of the 6 toning tables as instructed and guided by the Lifestyle Counselor.
- ❖ Phase 3. Cardiovascular. In this phase we help women with their overall weight loss needs by providing instruction and guidance on improving their heart and lung efficiency. The women are encouraged to spend anywhere from 2 minutes to 20 minutes using any of the 3 different low-impact cardio equipment as instructed and guided by a Lifestyle Counselor. In the center, there are 2 bicycles, 2 treadmills, and 2 ellipticals.

All three phases are offered by appointment only, and the women are always under the instruction and guidance of one of our Lifestyle Counselors. We encourage the women to attend 3 one-hour classes per week. The maximum number of clients per class is 12 women, and requires 1 to 2 staff members.

We are currently open from 7AM to 11AM, and again from 5PM to 7PM; Monday through Friday.

As an additional service for our clients, we retail nutritional supplements. These are boxes of pre-packed: protein bars, drink mixes, and vitamin supplements. The client consumes these products elsewhere, not at the center.

Thank you for your time and consideration.

Sincerely,

Kathy Ung Small, owner
